

**ENTERED**

June 21, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

TOWNSEL MYERS,

Petitioner,

VS.

BOBBY LUMPKIN,

Respondent.

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CIVIL ACTION NO. 2:22-CV-00060

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

On May 11, 2022, United States Magistrate Judge Mitchel Neurock issued his “Memorandum and Recommendation of United States Magistrate Judge” (M&R, D.E. 6). Petitioner was provided proper notice of, and opportunity to object to, the Magistrate Judge’s M&R. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

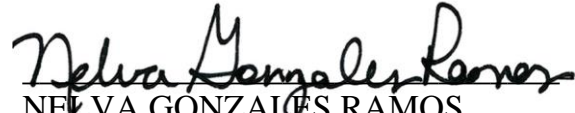
When no timely objection to a magistrate judge’s M&R is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s M&R. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s M&R (D.E. 6), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the Petitioner’s § 2254 action is **DISMISSED** without

prejudice to his seeking authorization from the Fifth Circuit to file this action in this Court.

In the event that Petitioner requests a Certificate of Appealability, that request is **DENIED**.

ORDERED on June 21, 2022.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE